

REMARKS

Claims 1, 3-4 and 6-9 are pending in this application. Claims 4 and 6-7 are withdrawn from consideration. By this Amendment, claims 1, 3, 4 and 6 are amended, claims 8 and 9 are added and claims 2 and 5 are canceled. Claims 1 and 4 are amended to distinguish the claimed invention from the cited references. Claims 3 and 6 are amended to correct dependency.

No new matter is added by this Amendment. Support for the language added to claims 1 and 4 can be found in original claims 2 and 5, respectively. Support for new claims 8 and 9 can be found in, for example, paragraph 58 of the original specification.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Dougherty in the February 10 interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

I. Restriction Requirement

It is respectfully submitted that in accordance with MPEP §821.04, if product claims are elected and subsequently allowed, rejoinder of non-elected process claims which depend from or otherwise include all of the limitations of allowed product claims will be permitted. Accordingly, Applicant submits that upon allowance of elected claims 1-3, non-elected claims 4-7 should be rejoined and similarly allowed as the non-elected claims are directed to a method of making the device recited in claims 1-3 and 8, and include all of the limitations of claims 1-3 and 8.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

II. Rejection Under 35 U.S.C. §103(a)

Claims 1-3 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over JP 62-207008 (JP '008) in view of U.S. Patent No. 5,841,217 ("Kizaki"). This rejection is respectfully traversed.

According to the Patent Office, JP '008 teaches all of the features recited in claim 1 including that the conductive anchor members (7) include a conductive adhesive formed of a rigid resin. Applicant disagrees with this allegation.

As discussed during the February 10 interview, paragraph 40 of the specification describes that in order to solve the technical problem of the weak bond strength between the silicon adhesive and the mount electrode, an anchor member is utilized which includes a conductive adhesive formed of a rigid resin. In other words, the conductive adhesive of the anchor member is not as flexible as the silicon-based adhesive.

As further discussed during the interview, JP '008 teaches that the "semi-hardened flexible conductive adhesive 7" of Figure 2 is the same material as the "flexible conductive adhesive 4." See page 2, upper left column, line 19 to upper right column, line 6 of JP '008. Thus, the oscillator taught by JP '008 will have the problem of conductive failure as described in paragraph 40 of the specification because the semi-hardened flexible conductive adhesive 7 and the flexible conductive adhesive 4 are both silicon adhesive.

By having an anchor member made of a conductive adhesive formed of a rigid resin which is a material different from silicon adhesive, the piezoelectric devices as recited in claim 1 can overcome the problem of conductive failure. See paragraphs 40-43 and 82-83 of the specification. For example, the rigid resin can be an epoxy based or a polyamide based resin. See paragraph 82 of the specification. The rigid resin would not include a silicon based adhesive as taught by JP '008.

Although the Patent Office alleges that JP '008 teaches a conductive anchor member (7) including a conductive adhesive formed of a rigid resin, it is clear that JP '008 teaches a flexible conductive adhesive (7). See the Abstract of JP '008. Thus, the flexible conductive adhesive of JP '008 cannot be a rigid conductive adhesive as recited in claim 1.

Kizaki does not remedy any of the deficiencies of JP '008. In particular, Kizaki does not teach or suggest that the conductive anchor members include a conductive adhesive formed of a rigid resin as recited in claim 1.

Furthermore, neither JP '008 nor Kizaki, in combination or alone, teach or suggest that the surface of the mounting electrode is a gold (Au) electrode film as recited in new claims 8 and 9. Applicant submits that claims 8 and 9 are thus also allowable.

For the foregoing reasons, Applicant submits that JP '008 and Kizaki, either alone or in combination, do not teach or suggest all of the features recited in claims 1, 3 and 8. Accordingly, Applicant submit that claims 1, 3 and 8 are allowable. Reconsideration and withdrawal of the rejection are thus respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-4 and 6-9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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